

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SCOTT SCHWARTZ, Individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

LATCH, INC., LUKE SCHOENFELDER, ROBERT  
J. SPEYER, PAUL A. GALIANO, JENNY WONG,  
JOSHUA KAZAM, JENNIFER RUBIO, NED  
SEGAL, MICHELANGELO VOLPI, PETER  
CAMPBELL, TRICIA HAN, RAJU RISHI, J.  
ALLEN SMITH, AND ANDREW SUGRUE,

Defendants.

Case No. 1:23-cv-00027-WCB

**JOINT STIPULATION AND SCHEDULING ORDER**

Plaintiff Scott Schwartz (“Plaintiff”) and Defendants Latch, Inc. (“Latch” or “the Company”), Luke Schoenfelder, Robert J. Speyer, Paul A. Galiano, Jenny Wong, Joshua Kazam, Jennifer Rubio, Ned Segal, Michelangelo Volpi, Peter Campbell, Tricia Han, Raju Rishi, J. Allen Smith, and Andrew Sugrue (collectively, “Defendants” and together with Plaintiff, “the Parties”) hereby stipulate and agree as follows:

WHEREAS, on January 11, 2023, Plaintiff filed a complaint initiating the above-captioned action (the “Complaint,” ECF No. 1), a putative class action arising under the Securities Act of 1933, against the Defendants;

WHEREAS, on January 12, 2023, Latch was served with the Complaint (ECF No. 3);

WHEREAS, counsel for Defendants agreed to accept service of the Complaint on behalf of the remaining Defendants;

WHEREAS, on January 30, 2023, the Parties stipulated and agreed (ECF No. 7) that

Defendants shall not be required to answer or otherwise respond to the Complaint until after a lead plaintiff has been appointed by the Court, and has filed an amended or consolidated complaint or designated the existing Complaint as the operative complaint;

WHEREAS, on January 30, 2023, the Court entered an Order (ECF No. 8) granting the Parties' Joint Stipulation;

WHEREAS, on March 31, 2023, Plaintiff filed a motion for appointment as lead plaintiff and approval of Plaintiff's selection of lead counsel (ECF No. 10);

WHEREAS, on April 24, 2023, the Court entered an Order (ECF No. 13) granting Plaintiff's motion to be appointed as lead plaintiff and approving Plaintiff's selection of lead counsel;

WHEREAS, Latch intends to file restated financial statements with the Securities and Exchange Commission ("SEC") on or before August 4, 2023;

WHEREAS, Plaintiff intends to file an amended complaint that will supersede the Complaint after Latch files restated financial statements with the SEC;

WHEREAS, on August 31, 2022, Plaintiff Slater Brennan filed a putative class action arising under the Securities Exchange Act of 1934 against Latch Inc. f/k/a TS Innovation Acquisitions Corp., Luke Schoenfelder, Garth Mitchell, and Barry Schaeffer in the United States District Court for the Southern District of New York ("*Brennan v. Latch*, Case No. 1:22-cv-07473");

WHEREAS, Defendants' position is that these actions involve substantially overlapping factual and legal issues;

WHEREAS, Plaintiff's position is that the forum selection clause in Latch's bylaws establishes this Court as the proper forum;

WHEREAS, Defendants intend to file a motion to transfer venue in the above-captioned action to the District Court for the Southern District of New York;

WHEREAS, Plaintiff intends to oppose Defendants' motion to transfer venue;

WHEREAS, Defendants intend to move to dismiss Plaintiff's claims after the Court's order granting or denying the motion to transfer venue;

WHEREAS, the Parties agree that in the interests of judicial economy, conservation of time and resources, and orderly management of this action, Defendants should not respond to the Complaint but rather, should withhold responding to this action until after Plaintiff has filed an amended complaint;

WHEREAS, the Parties have conferred in good faith and agreed to a proposed schedule for the filing of an amended complaint, anticipated motions, and related briefing;

NOW, THEREFORE, IT IS THEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the Parties, that:

1. Defendants need not respond to the Complaint.
2. Within twenty-one (21) days of Latch filing restated financial statements with the SEC, Plaintiff shall file an amended complaint.
3. Within thirty (30) days of Plaintiff filing an amended complaint, Defendants shall file a motion to transfer venue.
4. Within thirty (30) days of Defendants filing a motion to transfer venue, Plaintiff shall file an opposition to Defendants' motion to transfer venue.
5. Within twenty-one (21) days of Plaintiff filing an opposition brief, Defendants shall file a reply in support of their motion to transfer venue.
6. Within ten (10) days of the resolution of the motion to transfer venue, the Parties

shall meet and confer and submit a proposed briefing schedule to the appropriate court for any motion to dismiss.

7. All other currently scheduled deadlines shall be vacated.

8. This joint stipulation is made in full reservation of and without waiver or prejudice of any rights, claims, objections, or defenses that could be asserted through a motion pursuant to Fed. R. Civ. P. 12 or otherwise, including, and without limitation, defenses as to jurisdiction, forum, or venue.

**IT IS SO STIPULATED.**

Dated: May 2, 2023

Respectfully submitted,

/s/ Peter Bradford deLeeuw

Peter Bradford deLeeuw (#3569)

**DELEEUEW LAW LLC**

1301 Walnut Green Road

Wilmington, DE 19807

Telephone: (302) 274-2180

Facsimile: (302) 351-6905

brad@deleewlaw.com

OF COUNSEL:

Brent B. Barriere

Jason W. Burge

Kaja S. Elmer

**FISHMAN HAYGOOD LLP**

101 Lindenwood Drive, Suite 225

Malvern, PA 19355

Telephone: (484) 875-3116

Facsimile: (914) 752-3041

mhynes@hh-lawfirm.com

lhernandez@hh-lawfirm.com

*Counsel for Plaintiff*

/s/ Robert L. Burns

Robert L. Burns (#5314)

Tyler E. Cragg (#6398)

Kyle H. Lachmund (#6842)

**RICHARDS LAYTON & FINGER, P.A.**

920 North King Street

Wilmington, DE 19801

Telephone: (302) 651-7618

Facsimile: (302) 657-7701

burns@rlf.com

cragg@rlf.com

lachmund@rlf.com

OF COUNSEL:

Michele D. Johnson

Kristin N. Murphy (*pro hac vice*)

Natasha Pardawala (*pro hac vice*)

**LATHAM & WATKINS LLP**

650 Town Center Dr., 20<sup>th</sup> Floor

Costa Mesa, CA 92626

Telephone: (714) 540-1235

Facsimile: (715) 755-8290

kristin.murphy@lw.com

natasha.pardawala@lw.com

Colleen C. Smith (*pro hac vice*)

**LATHAM & WATKINS LLP**

12670 High Bluff Drive

San Diego, CA 92130

Telephone: (858) 523-3985

Facsimile: (858) 523-5450

colleen.smith@lw.com

*Counsel for Defendants*

IT IS SO ORDERED this 2nd day of May, 2023.

A handwritten signature in black ink, reading "William C. Bryson". The signature is written in a cursive style with a horizontal line extending from the end of the name.

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WILLIAM C. BRYSON  
UNITED STATES CIRCUIT JUDGE